

ENTERED

December 19, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MARTIN VILLA,

Plaintiff,

VS.

NICHOLAS MICHAEL VAUGHN, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:24-CV-00216

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION


On November 13, 2024, United States Magistrate Judge Julie K. Hampton issued her “Memorandum and Recommendation” (D.E. 11), recommending that Plaintiff’s motion for nonsuit (D.E. 9) and motion to remand (D.E. 10) be granted. The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge’s memorandum and recommendation. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Servs. Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s memorandum and recommendation (D.E. 11), and all other relevant

documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, Villa's construed motion for nonsuit (D.E. 9) is **GRANTED** and his claims against EAN Holdings are **DISMISSED WITH PREJUDICE**. Villa's motion to remand (D.E. 10) is **GRANTED** and this case is **REMANDED** to the 105th Judicial District Court of Nueces County, Texas.

ORDERED on December 18, 2024.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE